Election.

Why No Reference to the Bolting

Hearst Delegates is Made-

Plea for Suffrage.

PRINTED TO THE THE TAX AND THE

westerners when they enter the Cleveland boom. They are simply wild about it. We read about growth of the Cleveland sentiment all the way across the country," said Senator Newlands of Nevada, "and could not understand it. We thought somebody was guying the newspapers, but we find upon arrival that some of these eastern men really believe in the talk and speak of Cleveland with a serious face on."

Why, the whole west would rise as one man against Cleveland. It is absurd to talk about and only waste of time.

### McLean for Vice President.

Mr. John R. McLean is being talked about as an available man for the vice presidential nomination. The movement in his behalf has not yet taken on the aspect of a boom. No one is pushing it, and up to this date the talk has come mainly from men who are talking about vice presidential

Some of Mr. McLean's friends are on the spot, and while they are not exciting them-selves in his behalf, do not discourage the talk. I can say with some degree of cer-tainty that Mr. McLean's candidacy is tentative. It depends upon who goes on the ticket for first place. There are some men talked about for the presidency with whom Mr. McLean would not run. As near as I can get at the truth Mr. McLean would accept the vice presidential nomination if offered him with any degree of spontaneity, and if a conservative man is nominated for President on the same platform.

### The Gorman Boom.

Henry G. Davis of West Virginia has arrived in town to begin the Gorman presidential boom. He was immediately besieged with inquiries whether, Gorman is indeed a candidate. Mr. Davis staved his questioners off with statements which indicated that Mr. Gorman may or may not be a candidate. The question asked about hotel was whether Mr. Gorman is coming to St. Louis or not, and if he is not coming it will be accepted as tacit avowal of his candidacy. No one here could say

whether Mr. Gorman is coming. Lewis Bernard of Cincinnati, one of the shrewdest and most widely known politicians of Ohio, said today: The Ohio dele-gation will decide about next Tuesday whether to back the candidacy of Col. Kilburn or ex-Attorney General Harmon. chances seem to favor Harmon if Judge Parker is defeated. Harmon's prospects of the nomination will depend largely upon the New York situation. If New York insists upon one eastern man Grover Cleveland is the only man who can defeat Har-

mon.
Col. Sam Donelson of Washington, sergeant-at-arms, said: "I have found since my arrival here an increase of undercur-rent for Gorman. He has friends in every southern delegation, and while I don't know and they don't know whether he is a candidate or not, he certainly is very much in

## Taggart on the Platform.

Mr. Tom Taggart of Indiana is so well assured of Judge Parker's nomination that he is devoting most of his energies now to the platform. "Indiana wants a conservative tariff

He said this afternoon: "Indiana will not stand for radical revision of the tariff. We believe that there should be reduction, and are utterly opposed to the republican stand-pat proposition. But we think the revision must be made with judgment. We want a straightout declaration in form, curbing trusts and advecate giving intecurbing trusts, and advocate giving independence to Philippines with a sane and conservative platform, and with Judge Parker for our candidate we won't leave a grease spot of Roosevelt."

Everybody today is asking: "What about Gorman? Is he a candidate. Is he coming to St. Louis?" They all say that if he does not come it means that he is a candidate and by Monday the Gorman boom will be well under way.

### The Belmonts.

It is amusing to see the honest, hornyhanded old democrats from the west circling around the Belmonts, August and Perry

The old Jeffersonians are kind of fascinated with, yet fearful of the Belmonts. In their minds the Belmonts are associated with the Rothschilds, with Threadneedle street, with the gold baron of Europe and with that mystical and fearsome octopus known as Wall street. They look at the Belmonts as if they expected to see horns and hoofs, instead of two mild-mannered, welldressed conservative citizens. The Jeffersonians point to them and speak in awesome whispers. "The Belmonts.

Gorman Holds Judge Parker's Fate. Arthur P. Gorman at this moment holds the fate of Judge Parker in his hands. If

Mr. Gorman should give the word to Mr. Henry G. Davis Judge Parker's nomination could be clinched before nightfall. At this moment it is not clinched by any means. The result of such action by Mr. Gorman would be given control of the national machinery. Mr. David B. Hill would be completely eliminated and Mayor Mc-Ciellan would be nominated for governor

of New York. On all sides the question is being asked, "What will Mr. Gorman do?"

### GROWING MORE CONFIDENT. Parker Men Active at St. Louis-Opposition Tactics.

Associated Press. ST. LOUIS, July 2.-The Parker men are growing more confident as delegations and representatives of different delegations arrive. One of the most active Parker men in the city is Thomas A. Taggart of Indiana, and he is in constant communication with the new arrivals, especially those who are under instructions for other candidates Mayor David A. Rose of Milwaukee and T. E. Ryan, also of Wisconsin, were among the arrivals today. They are under instructions for E. C. Wall of their own state, and declared that having a "favorite son" they would express no opinion as to the second choice of the dele-

With a candidate of our own," said Mr. Ryan, "it would not look very well for us going around expressing an epinion about a second choice. From managers of the Parker canvass. however, it was learned that the Wisconsin delegation would go to Parker on the sec-

A little light was shed upon the many conferences that have taken place in the east between the democratic leaders like Gorman, Guffey, McLean, Smith and Mur-

delegate who has been cognizant of

### what took place at these conferences said today that at their close one of the men participating in them remarked Far From a Conclusion.

"Well, we are no nearer a conclusion than when we first commenced to talk." In going over the situation, they found that even if they should enter into a combination to defeat Parker that they would be no nearer results than before and some of them feared that the defeat of Parker would afford an opportunity to nominate Cleveland, and to this some of the men in the conference were opposed, while others were somewhat favorable. It is believed that Smith and Guffey are among the men who would be willing to see Cleveland nominated and that they would be willing to throw New Jersey and Pennsylvania to

While some Parker men are enthusiastic enough to claim that their man will be nominated on the first ballot, the more experienced politicians are of the opinion complimentary votes must first be cast for favorite sons before the necessary two thirds can be obtained for the New Yorker.

# Gorman's Candidacy.

It is said that Gorman's candidacy car be determined upon by his own movements. He is at the head of the Maryland delegation, and if he comes to St. Louis it will mean that he will not be a candidate. But if he remains at home it will be assumed by his friends here that he is a candidate, and then every effort will be made to bring about his nomination important arrival today was Mr. Au-

gust Belmont, who with several members of his family came in on an early train and took apartments at the Jefferson. He is one

The Hearst boom was given somewhat of n impetus today by the arrival of the

the end; California has no second choice in this or any other matter."

Anothe: delegate, Mark Smith of Arizona, expressed the same sentiment, saying that the democrats of the western coast gener-

ally prefer Mr. Hearst. He did not how ever, believe that the western men in the convention would be averse to some other man in case it should become evident that Mr. Hearst could not secure the necessary two-thirds vote to nominate.

Members of the three delegations discuss

ed freely the possibilities with reference to platform, but were generally of the opinion that there should be no reference either to the Chicago platform of 1896 or the Kansas City platform of 1900.

# Dealing With Today.

"This," said one of them, "is the year 1904 and we are dealing with this period and no other. I believe that our people prefer that all reference to past platforms should be omitted.

Senator Newlands of Nevada, who is at the head of the delegation from that state, says that the sentiment of the western states generally is against Parker, although the delegates are not opposed to him in any actively hostile sense. The Hearst delegations from these western states appear to have no second choice, although it is understood that some of them would prefer Gor-

man to almost any other man. The subcommittee on arrangements of the democratic national committee, which was called to meet at 10 o'clock today, failed to secure a quorum and adjourned until 3 o'clock p.m. In addition to Chairman Jones there was only one member present.

Trying to Counteract Sentiment. ST. LOUIS, July 2.-Judge Parker's riends are devoting themselves assiduously to counteracting the effort to create sentiment in favor of Mr. Cleveland, and among the most outspoken of them is National Committeeman Head of Tennessee who is also a member of the delegation from his state. "It is not true that Mr. Cleveland is more popular in the south than formerly," he said, and repeating a question as to why the southern democrats are opposed to Cleveland, said: "We oppose him because he disrupted and destroyed the democratic party. He found the organization united, and in less than two years, under his management, it was torn into shreds. He has no strength in the south, and I believe that if nominated he would render even Tennessee a doubtful

# Allen to Stay With Party.

Ex-Senator Allen of Nebraska was about the lobby of the Jefferson Hotel today. He said he was merely an onlooker. "I may be the only 'pop' left," he said, "but I shall stay with my party."

He expressed the opinion that Mr. Bryan would certainly be in attendance on the St. Louis convention, and added: "He will make a speech, too, and if he does the Chicago speech will not be a marker compared with what he will say."

### NO KANSAS CITY PLATFORM. To Be Broad Enough for All Democrats Wanted.

ST LOUIS. July 2 .- "I do not contend for a reaffirmation of the Kansas City platform," said former Senator Cannon, chairman of the Utah delegation, who, eight years ago in this city, walked out of the republican convention because of its repudiation of bimetallism. Continuing, he

"I have not changed my principles, and s failure of the democratic party to specifically reindorse any one plank of any one platform does not indicate that the party has changed. I only say that we want s platform broad enough for all democrats to stand upon and if we get that I shall be satisfied. Idealist though I am, I do not want any more rainbow chasing. Of that we have had enough. We want a candidate who can lead, and with such a candidate and a platform dealing with the live questions of the day we will have a chance to put some of our doctrines into laws, which is more important than a century of abstract theorizing.' Gorman, but his delegation is divided in its

#### presidential preference. GORMAN DID NOT GO.

Belief That He is a Presidential Candidate. Special Dispatch to The Evening Star.

BALTIMORE, Md., July 2.-Among demo cratic leaders here the failure of Senator Gorman to leave for St. Louis this morning, as had been planned, is taken to indicate that the Marylander is a fullfledged candidate for the presidency. There is an expectant air about democratic headquarters, although no one seems to be able to tell just what is going to happen. The failure of Gorman to leave for St. Louis today has started gossip all over the city, and Gorman and the presidency is the only thing being talked of here to-Even the republican leaders are greatly interested and admit that Gorman would make a strong presidential candi-

The Maryland delegation left here this morning, including General Murray Van-diver, State Senator Crothers, Joshua Miles and State Senator A. P. Gorman, jr., Tomorrow morning the balance of the dele gation, including the city delegates and their friends, will leave at 9 o'clock. The first bet on the result at St. Louis was made at noon today, when Frank Cur-tis, a prominent democrat, wagered \$500 to \$100 with Councilman Konig that Cleveland would not be nominated Gorman odds are 10 to 1 against

# DISTRICT DELEGATES LEAVE.

They Will Arrive at St. Louis Tomorfow at 6:15 P. M.

The District delegation to the national democratic convention at St. Louis, headed by Mr. James L. Norris, left Washington for the mound city this afternoon at 2:30 clock. The delegates and alternates will travel in a special car over the Chesapeake and Ohio railroad, and will reach St. Louis tomorrow evening at 6:15 o'clock.

Mr. Herman J. Schultels, secretary of the contesting Hearst delegation, announced this morning that he expected to take the same train, so as to arrive in the city of the world's fair in time to present the preliminary contest before the demo-cratic national committee at the meeting to be held Monday. Mr. Schulteis said that other members of the Hearst, or anti-Norris delegation, would leave for St. Louis tomorrow and Monday. Henry W. Sherman, Thomas F. Ryan and Ward Savage, remarked, expect to leave tomorrow while Messrs. William E. Carr and Cor nellus B. Kennealy will not be able to leave until Monday.

Mr. Cotter T. Bride, a prominent member of the local democracy, who left the convention at the Lafayette Square Theater at he time of the withdrawal of the Hears delegates, announced today that he had not decided positively whether he would go to St. Louis. If he goes at all it will be to

# A Surprise Promised.

The regular delegation, headed by Mr. Norris, left the city in a jubilant frame of mird, saying there was absolutely nothing to fear from the proposed contest of the Hearst contingent. The latter, however, declare that a surprise will be sprung on the Norris people at St. Louis and that their path to the convention will not be one of roses. Mr. Schultels this morning hinted it mysterious plars 'We want representation before the na

ional committee when it meets next Mon-The Star this morning, "and that is why I am leaving in advance of the other members of the delegation. But our real fight will be waged before the committee on cre-dentials when that body is appointed and organized. I cannot tell you the details of our contest, but I will say that we have a basis of contest ten times stronger than we had four years ago against the Norris delegation. Then we obtained half a vote each and should have won out completely.

The Norris people think we have been sleeping of late, but they will find our eyes open wide enough when it comes to a showdown before the convention committee or

"We propose to prove by affidavits and delegations.

"We are all for Hearst until the finish," said Chairman Tarpey of the California contingent. "We will stay with bim until

upon the number of votes counted, but the number acutally cast."

Virginians Going Along. The arrangements for the trip of the Norris delegation were made by Mr. J. Fred Kelley, chairman of the democratic

central committee of the District of Co- Mr. Secton's Report on Their lumbia, and also chairman of the submmittee on transportation. Mr. George M. Bond, District passenger agent of the Chesapeake & Ohio railway will travel with the party to St. Louis and arrange all the details of the journey. A part of the Virginia delegation to the convention will travel with the District party.

The delegates regularly elected are as follows James L. Norris, E. B. Hay, William Cranch McIntire, J. Fred. Kelley, John G. Campbell and John F. Monoghan. The alternates, who also left for St. Louis this afternoon, are as follows: Thomas J. Moore Smith Thompson, jr., James A. Watson Frank J. Wissner, C. F. Shelton and N. L. Bogan. The District delegation will have neadquarters at the Planters' Hotel. Mr. Schulteis stated that his headquarters would be at the Hotel Jefferson. The ers of the contesting delegation are William E. Carr, Herman J. Schultels Henry W. Sherman, Cornelius B. Kennealy Thomas F. Ryan and Ward Savage. The alternates are: Timothy J. Costello, William A. Vaughn, John P. Downey, John J. O'Connor, John F. Kenney and Edward J. Pattgan.

# AN ALLEGED HAND-BOOK.

Case of John McConnell Goes Over for

Trial. John McConnell, who was arrested yesterday for an alleged violation of the gambling law, it being charged that he made a hand-book on the races, was arraigned in the Police Court this morning. He was represented by Attorney Carrington and a continuance was granted. His case will not be called until the pending cases are disposed of.

Sergt. Lee and Precinct Detective Mullen caused his arrest. It is claimed that a player of the races had some difficulty with McConnell this week and that he afterward introduced two policemen to the alleged layer of odds, saying they were "sports." They are alleged to have played the races and lost thirty cents each. Several cases involving a similar charge have been pending in the Police Court for more than a month. In those cases jury trials were demanded, and it is not known when the trials will take place. the trials will take place.

# WILL BEGIN WORK AT ONCE.

Plans to Be Drawn for Station for W.

A. and Mt. Vernon Railway. The officials of the Washington, Alexan dria and Mount Vernon Railroad Company have informed the District authorities that they will begin at once on the preparation of plans for the new railroad station to be located on D street near 11th street northwest, and for the removal of the tracks along the route decided upon by the Commissioners yesterday afternoon.

The railroad officials express themselves as satisfied with the location of the station as designated by the Commissioners, and also with the route in the vicinity of the station.

pany several weeks ago obtained options on several pieces of property in the vicinity in which it was anticipated that the station would be located, and that they will have no difficulty in purchasing property for the site of the passenger station.

# CHANGE IN TRUSTEES.

Action of Court in the Utermehle Controversy.

Justice Gould in Equity Court No. 2 today signed a decree changing a trust heretofore created in the case of Sophie Lee Utermehle against Charles H. Utermehle, and appointing Wilton J. Lambert and Edmund W. Van Dyke trustees to take charge of a ing to about \$40,000, in accord ance with an agreement executed between the parties interested.

Mrs. Utermehle recently filed a petition setting forth that after a decree was signed. presumably with consent of counsel, creating a trust in two separate funds for the benefit of herself and children, the defend-ant, her former husband, instituted a contest for the purpose of having the decree reformed, claiming that he was entitled to reversionary interest in the sum of \$18, 000 after the death of complainant. To settle the litigation referred to and in the in erest of her children, it was added, she had executed an agreement to have the in the conditions.

By the terms of the decree signed today the former trustees are, by consent, re-moved and those appointed are authorized to sell the real property involved and to make distribution according to the interests of the respective parties.

# Chairman of the Exposition Board.

President Roosevelt has conferred upon Walace H. Hills, chief clerk of the Treasury Department, the honor of making him chairman of the government board to the Louisiana purchase exposition. Mr. Hills will take the place made vacant by the death of Colonel Brigham, assistant secretary of agriculture. The appointment was made in recognition of Mr. Hills' efficient services to the government and his wide knowledge of governmental affairs.

# Major Bingham Much Better.

Gen. Gillespie, acting chief of the general staff, has received a personal letter from Maj. Bingham, Corps of Engineers, in which he states that he is much better and hopes soon to learn to use crutches. Maj. Bingham says that he expects to leave the hospital in Buffalo in a day or two for Falconwood, on the Niagara river below Buffalo, to recuperate.

Heavy Gold Transfer. NEW YORK, July 2.-Telegraph transfers from San Francisco to the local subtreasury today aggregated \$2,178,000. Much, if not all, of this is believed to represent Japa-nese imports of gold to the Pacific coast.

# BONA FIDE CIRCULATION.

The sworn statement below shows that the circulation of The Star is what it is claimed to be. The Star's circulation is much greater than that of any other paper published in Washington, and The Star is read more thoroughly than and has double the number of readers of any other paper published in Washington, whether morning or evening. Fifteen thousand of The Star's regular subscribers take no other Washington paper whatever, depending upon The

### Star alone for news and advertising. Circulation of The "Evening Star." SATURDAY, June 25, 1904...... 39,803 MONDAY, June 27, 1904...... 33,564 WEDNESDAY, June 29, 1904...... 33,560 THURSDAY, June 30, 1904...... 33,751 PRIDAY, July 1, 1904 ...... 33.490

I solemnly swear that the above statement represents only the number of copies of THE EVENING STAR circulated during the six secular days ending Friday, July 1, 1904 - that is, the number of copies actually sold, delivered, furnished or mailed, for valuable consideration, to bona fide purchasers or subscribers, and that the copies so counted are not returnable to or remain in the office unsold. J. WHIT. HERRON.

Business Manager, The Evening Star Newspaper Company. Subscribed and sworn to before me this second day of July, A. D. 1904.

CORNELIUS ECKHARDT.

# DISTRICT DELEGATES SHIPBUILDING TRUST SENOR DE LOME DEAD UNION STATION ACT

CLOSURE PROCEEDINGS.

Take for Various Securities Fixed by Justice. STATEMENT TO McGRAW

TRENTON, N. J., July 2.-Judge Lanning PRIMARIES WERE CONDUCTED WITH FAIRNESS AND JUSTICE.

Special Dispatch From a Staff Correspondent. ST. LOUIS, Mo., July 2.—The first action taken here with a bearing on the seating of delegates in the democratic national convention from the District of Columbia was by Edwin Sefton, chairman of the elections committee appointed unde rauthority of the national democratic committee to formulate rules for the holding of primaries and to supervise the primary elections in the District. Early this morning Mr. Sefton had an interview with J. T. McGraw, chairman of the subcommittee of the national commit tee to which all controversies in the District were referred. He submitted to Mr. McGraw a report of the committee of which Mr. Sefton is chairman, signed by himself, J. Holdsworth Gordon and Henry Matheson, stating the facts connected with the holding of primary elections in the District. This report was not signed by Cotter T. Bride.

handed him for his approval be fore Mr. Seften left Washington, but Mr. Bride was not then prepared to approve. It will again be placed before him when he arrives here, and it is expected he will then attach his signature to it or add any addition views he may desire. The report submitted by Mr. Sefton deals with matters of fact in relation to the action of his committee up to the time he called the primary.

### Mr. Sefton's Statement.

Mr. Sefton personally made an additional statement to Chairman McGraw in the following language: "The political condition existing in the District of Columbia -as you well know-obtains in no other section of the country.

"It is a parody upon an enlighened com-munity in this country to say that it is incapable of selecting its own governing offi-cials. The people of the District have no voice whatever in the selection of its local officers and have no representative what-ever in Congress. This committee had none of the ordinary local political machinery upon which to build in bringing about the results desired. To inaugurate a set of rules which would be entirely satisfactory to a majority, if not to all, the demo-oratic members of the District was no easy task, but your committee promptly took up the question with which it was charged and did formally adopt a set of rules and regulations which when they were given to the public met with the unanimous approval of all democrats of the District. Primarles in the District had reached a point where to par-ticipate in them was undesirable, and to attempt to discuss them was to excite ridi-cule. The rules adopted for the democratic primaries have brought about an entirely new order of things.

"The last primary election was characterized by fairness, justice and harmony. It has demonstrated to the people of the Dis-rtict of Columbia and to the people at large that the democrats of the District are capable of holding a party primary which is free from disorder and in which

#### the majority may fairly win.' The Bolting Hearst Delegates.

Mr. Sefton was asked why he had made in his report no reference to the convention held by the belting Hearst delegates. "Becat se," he replied, "this committee was charged primarily with the formulation of new rules and regulations governing primaries in the District and by its chairman

called a convention to order.

"That convention was promptly turned over to a majority of the delegates of that convention. The duties of this election committee ceased immediately upon the turning over of the gavel to the temporary presiding officer elected by that convention This committee has no official knowledge of any other convention held after the time this election committee ceased to

"Secondly-Any mention of another conention, or, in fact, of any action that might have been subsequently taken by the convention so called to order, would be entirely out of place in this report. We have personal knowledge, of course, of a convention held by the Hearst supporters, but whether our sympathies are for or against them could not enter into this report. This committee will not officially participate in any contest which may be made for seats in the national convention on the part of any District delegates, but will hold itself subject to the call of the national commit tee for any data that it may have in its possession which will tend to assist it in the determination of any contest that may

# A Plank for Suffrage.

Mr. Sefton was asked whether there was any matter beyond the contest over the seating of delegates from the District that would come before the national convention of local interest to the District. He replied that he would interest himself as far as possible in securing a plank in the plat-form in favor of local suffrage. Since his arrival here Mr. Sefton has been appointed by the committee on arrangements secretary of the committee on resolutions in which important position he will be able to keep in close touch with the formation of the platform and to exert influence in favor of a plank favoring suffrage in the "I imagine that the delegation that is

seated," said Mr. Sefton, "will actively fight for a plank in the platform calling for suffrage in the District of Columbia Not being a delegate to the convention, I can take no step as a member of the con plank, but I shall use every endeavor bring about the desired results. "I believe that the people of the District ought to have a right to select their two civilian Commissioners. While the present commissioners of the District are excel lent gentlemen, and are capable public offi cers, yet I believe that the people of the District should place the Commissioners in office. After obtaining this result, then our efforts ought to be devoted to bringing about local representation in Congress."

The recent convention in the District also had a platfactor of the convention in the c had a platform declaring in favor of home rule, which in the first instance aims at plank in the national platform for the ar

### AN UNSATISFACTORY SHOWING. Torpedo Beats Have a Record for Breaking Down.

pointment of local men for local offices

the District and after that for the right of

representation in Congress. It is expected here that when Mr. Norris arrives he

will have drawn up a plank for these pur-

The result of a thorough examination of the navel torpedo boats is unsatisfactory, only brie of the little craft having a record of escaping breakdowns. The faults developed pertained mostly to the machinery, and while not serious, collectively, they are understood to have influenced the naval inspection board which has conducted these examinations to rechas conducted these examinations to recommend a heavier construction of machinery, even at the cost of a loss of
speed. The experts have reached a conclusion that it is better to have a twentyfive-knot boat which can be depended
upon to make that speed at all times and
in all weather than to try to secure a
thirty-knot boat liable to breakdowns at
any time and so tender that she cannot
keep the sea in bad weather.

Today's Government Receipts. National bank notes received today for redemption. \$1,003,473. Government receipts: From internal revenue, \$1.120,802; Notary Public, D. C. customs, \$816,785; misc. Expenditures, \$5,460,000. operations.

COURT ORDERS SALE IN FORE-

signed a final decree in the U. S. circuit court today ordering a sale of the properties of the U. S. Shipbuilding Company in the foreclosure proceedings instituted by the Mercantile Trust Company and the New York Security and Trust Company on the two mortgages held by them for \$16,000,000 and \$10,000,000 respectively. Accompanying the decree he filed an order dismissing the appeal of Mrs. Ida E. Wood of New York, who asked to be admitted as a party defendant that she might attack the validity of the mortgages with a view of entering a preference claim over the rights of the other bondholders. She holds \$200,000 of bonds for which she paid \$195,000.

Totaal Amount Due. The total amount due on the mortgage held by the Mercantile Trust Company as trustee for the bondholders is \$116,158,162. On that of the New York Security and Trust

Company \$10,706,944. In this decree Judge Lanning also fixed the minimum amount which the receiver is authorized to accept for the properties of the underlying companies in the trust These amounts are as follows: 3,000 shares These amounts are as follows: 3,000 shares of the Bethlehem Steel Company, \$7,500,000; Union iron works, California, \$1,400,000; Hyde Windlass, Maine, \$125,000; Bath iron works, limited, Maine, \$300,000; Crescent Shippard Company, New Jersey, \$125,000; Samuel L. Moore & Sons' Company, New Jersey, \$175,000; Eastern Shipputiding Company, \$175,000; Eastern Shipputidi pany, Connecticut, \$125,000; Harlan & Hollingsworth Company, Delaware, \$550,000; Canda Manufacturing Company, \$200,000; patent rights, good will, book accounts and

Mortgaged personal property of the fol-Mortgaged personal property of the following companies: Union I ron Works, \$300,000; Hyde Windlass Company, \$100,-000; Bath Iron Works, \$40,000; Crescent Shipyard Company, \$25,000; Samuel L. Moore & Sons' Company, \$30,000; Eastern Shipbuilding Company, \$20,000; Harlan & Hollingsworth Company, \$135,000. The shipbuilding company is ordered by the decree to turn over the total amount due on the two mortgages within ten days, in default of which the receiver is author

ized to advertise and proceed with the sale

### COLORADO'S TROUBLES.

Sheriff Bell Ignored Demand for Surrender of His Office.

CRIPPLE CREEK, Col., July 2.-Attor ney Hawkins, representing former Sheriff Robertson, has made a demand on Sheriff Bell for the office and records. Sheriff Bell paid no attention to the de mand beyond acknowledging the receipt of

it. Sheriff Robertson was forced to resign by a citizens' committee and Sheriff Bell was appointed to succeed him. Could Not Produce Proofs.

VICTOR, Col., July 2 .- John Young, who claims to represent a New York newspaper, has been arrested by the militia and is being held for investigation. Young had gained admission to the private office of the militia and sheriff by representing himself as a newspaper man. When arrested he could produce nothing to show that he was connected with any paper.

# HARVARD WINS ODD.

Beats Old Eli in One-Sided Game of

Base Ball. ball nine outplayed Yale at all points in the deciding game of their series, which was played at the Polo grounds today. Each side had won a game and today's victory by a score of 5 to 0 decided the tie in Harvard's favor. The wearers of the crimson were delighted at the result, as it served to take the edge off their defeat on the water at New London yesterday. The game was called at half past 10, but even at that early hour there was a fairly large gathering of spectators on hand.

The playing of the Harvard men was excellent, while Yale was weaken from the start. Captain Randall of the victorious team covered first base eleverly, and his batting was the feature of the game. He was the first man up in the second half of the opening inning, and with two strikes called on him he waited patiently until he was suited and then he smashed the ball down right field, and it rolled away under the boundary ropes for a home run. This seemed to daze

the Yale men and they weakened perceptibly from that stage.

Matthews, who played shortstop for Har vard, also distinguished himself at the bat, as he made three safe hits, just as many as Randall made, and, singularly enough these two were the only players of th crimson side who had an error marked against them. Coburn pitched a fine game for the winners, and he fielded his position very cleverly, but McKay, for Yale, was disappointment. He was hit frequently and opportunely, while Coburn kept Yale's hits well scattered. Harvard also was fast on the bases, and in every department of the

# game proved to be much superior. EARLY CLOSING INAUGURATED.

Saturdays to Be Counted as a Full Working Day. The new order closing the departments at 1 o'clock on Saturdays in summer went into effect today for the first time to the great joy of the thousands of employes in this city, who left their offices in high

spirits to enjoy the afternoon holiday. Acting Attorney General Purdy, in answer to an inquiry from the Treasury Department, which in this case represented all of the other executive departments, has rendered a decision to the effect that in calculating the annual thirty-day leaves of government employes Saturday shall be reckoned as a full working day, even in the months of July, August and September,

when the departments close at 1 o'clock. A previous decision of the controller of the treasury was to the effect that in calculating pay of employes Saturday was to be regarded as a full working day during the other eight months of the year, notwithstanding the law making Saturday afternoon a legal holiday in the District of Columbia, and this opinion of Mr. Purdy supplements that decision by applying it to the remaining summer months. Had Mr. Purdy taken the contrary view it would have been possible for a clerk to claim thirty-two days' leave annually, aggregating the four half days that would occur during his thirty days' absence under the ordinary leave, and adding them to that

In addition to the executive departments, the Saturday half-holiday affected also the government printing office, the navy yard and the bureau of engraving and printing. In all of these places business was stopped at 1 o'clock and the buildings closed. This is said to the the first time that Saturday has been observed as a half-holiday in these departments, except on occasions when a legal holiday happened to fall on Saturday.

### BATTLE NEAR PORT ARTHUR. Japs Succeed in Occupying Certain

Heights-Heavy Rains. CHE FOO, July 2, 7:30 p.m.-It has been

earned here that a big battle was fought on land near Port Arthur on June 26 and June 27. The Japanese were successful, and on the morning of the 28th they occupied certain heights within ten miles of Port Arthur. The first Japanese division. which suffered so heavily at the battle of Nan Shan hill, and the eleventh division, fresh from Japan, were engaged. The Japanese losses have not been learned, but the Russians are said to have suffered very heavily.

WAS SPANISH MINISTER AT WASHINGTON PRIOR TO WAR.

Minimum Amount the Receiver Can Died in Paris Last Night From Gerebral Hemor-

rhage. PARIS, July 2.-Senor Dupuy de Lome,

prior to the outbreak of the war between the United States and Spain, died here last night from cerebral hemorrhage.

The De Lome Incident A letter written by Senor De Lome, the Spanish minister at Washington, to Jose Canalejas, containing very deprecatory re-

marks upon President McKinley, was given

out by the Cuban junta January 8, 1898. Regarding President McKinley's message, The message has undeceived the insurgents, who expected something else, and has paralyzed the action of congress, but I consider it bad. Besides the natural and inevitable coarseness with which he repeats all that the press and public opinion of Spain has said of Weyler, it sh more what McGinley is, weak and catering to the rabble, and besides, a low politician, who desires to leave a door open to me

and to stand well with the jingoes of his-The publication of this letter in a facsimile of the original and in an English translation made a very awkward situation for the minister. After a feeble attempt to discredit its authenticity, Sr. de Lome cabled to Madrid his resignation of office, which was forthwith accepted. The Spanish government expressed profound regret for the misconduct of its repre-sentative and named Senor Polo y Bernabe as his successor at Washington.

### ALLEGED MUTILATION OF DEAD. Military Experts Think the Russians Have Been Misled.

Minister Takahira had a long conference with Secretary Hay today at the State Department respecting the published Russian allegations of cruel treatment of wounded dealt with all the points which had been Russians by Japanese soldiers. The minis- urged by Mr. Millard against the constiter addressed himself to Secretary Hay on tutionality of the acts. that subject because having assumed the charge of Japanese interests in Russia the tion urged by Mr. Millard, that the sev-Secretary would be the natural recipient of eral acts originated in the Senate, and not any communication in the nature of any protest or complaint which the Russian government might desire to lodge against the conduct of the Japanese.

It is said, however, that neither Secre-tary Hay nor Minister Takahira had recelved any official communication on that subject, but they had taken note of the newspaper publications, and today's talk was rather preliminary to a more formal ex-change when the expected Russian protest s forthcoming. Some of the military experts here are of

the opinion that the Russians have been misled in making this charge of mutilation by the frightful effects of the Japanese shimose shells, which might easily inflict such wounds upon a human body as to resemble bayonet thrusts and bruises and abrasions administered by hand. Such charges at any rate are said to be incident to all wars, but if the Russian complaint is properly supported it will be duly pre-sented to the Japanese government by Sec retary Hay.

### DEATH OF JOHN J. HILL. Reported to Have Suddenly Expired in San Francisco.

Word has been received here of the death on his way to accept a position under the reason that, unless the sums appropriated Hill was twenty-four years of age an said to have been a lawyer. He was picked up on the streets of San Francisco last night in an unconscious condition, and died later in a hospital.

He was appointed to the position in the Philippines, March 24 last, and his address in this city, as given in a dispatch received from San Francisco was 815 11th street northwest. It was also stated that his father was employed in the pension

It was ascertained today that the rolls of the pension office show that two men named Hill are in the service, but both are in the attorney, appears in the city directory of 1904, with an office at 414 5th street northwest, and his home is located at 815 11th

GOING AWAY NEXT WEEK.

Secretary Morton Will Arrange His Private Affairs in Chicago. Secretary Morton was on hand at the Navy Department bright and early this morning and put in a good day's work, disposing of the mail of all the bureau officers and that of his own office by 1 o'clock. It is his purpose to go to Chicago early next week to arrange his private affairs so as to permit of a prolonged residence in Washington. He will be absent about two or three weeks and expects to resume his

official duties here toward the end of the

month. While he is away Judge Darling will serve as acting secretary.

Mr. John Nordhouse of Nebraska has been appointed private secretary to Secretary Morton and assumed his new duties this morning. Mr. Nordhouse was formerly an employe of the Department of Agri-culture. He entered the department through the civil service in the administration of Secretary Rusk and was promoted through several grades. He served as private secretary to Secretary J. Sterling Morton during the latter's term as Secretary of Agri-culture, and also served Secretary Wilson the incumbent, for a short period. Since 1898 he has made his residence in Nebraska and has been employed by Secretary Paul Morton in various confidential capacities Mr. Gauss, who was confidential clerk to Secretary Moody, will serve the new naval secretary in the same capacity, and will prove an able assistant to Mr. Nordhouse.

# SIGNS OF HARD FIGHTING.

# Rains Are Rapidly Making Roads Impassable.

Special Dispatch to The Evening Star.

NEW YORK, July 2.-A cablegram from London says: A correspondent telegraphs from Russian headquarters at Liao-Yang that he has just returned from visiting General Keller's division, which is holding the road between Motien Pass and Liaoyang. He says the country is very mountainous and that rain is making the roads extremely difficult. They will be impracticable for transport purposes in a few days. He praises the fortitude of the Russian wounded, who have to make a long journey in the rain in open ambulances. Several men whom he saw were suffering from bayonet wounds, which shows ther has been hard hand-to-hand fighting.

Records for Twenty-Four Hours. The following were the readings of the thermometer and barometer at the weather at 2 p.m. yesterday:

Thermometer—July 1, 4 p.m., 72; 8 p.m., 62; 12 midnight, 59. July 2—4 a.m., 60; 8 Barometer—July 1, 4 p.m., 29.92; 8 p.m., 29.98; 12 midnight, 30.00. July 2—4 a.m., 30.05; 8 a.m., 30.07.

Downtown Temperature.

# The temperature registered today by Affleck's standard thermometer was as fol-lows: 9 a.m., 76; 12 noon, 80; 2 p.m., 82. Movements of Maval Vessels.

The refrigerator ship Glacier and the cruiser Newark have arrived at Playa del Este. Guantanamo; the cruiser Hartford has arrived at Jamestown, and the battle ship Massachusetts arrived at Newport yes-

It was reported by calle to the Navy De-partment today that the Villalobos arrived at Hankow and the Justin at Hon Kong to-

# Court Declares it to Be Con-

stitutional.

# HEARING ON DEMURRER

who was Spanish minister at Washington BILL FILED BY JOSIAH MILLARD DISMISSED.

> Suit Brought to Restrain Payment of District Share of Cost of Project.

> Justice Anderson, in Equity Court No. 1, this afternoon announced his opinion in connection with the proceedings instituted August 12 last by Josiah Millard against the treasurer of the United States, the District of Columbia, the Philadelphia, Baltimore and Washington Railroad Company, the Baltimore and Potomac Railroad Company, the Baltimore and Ohio Railroad Company and the Washington Terminal Company, to have the "union station act" of February 28, 1903, and the two preceding acts of February 12, 1901, declared unconstitutional, and to enjoin proceedings there-

> The court upheld the acts in question as constitutional, denied the prayers of Mr. Millard, and dismissed his bill of complaint

> with costs. Among other things Mr. Millard wanted paying to the railroad companies concerne road companies by act of Congress in the matter of the union station improvements.

### The Points Raised.

The opinion was an exhaustive one, and

In disposing of the first point of objecin the House of Representatives, and must, therefore, be held to be void be-cause repugnant to article 1, section 7. clause 1, of the Constitution of the United states, which requires all bills for rais-

raising of revenue, but for the abolition of grade crossings. The raising of revenue is a mere incident to the carrying into effect of the main objects of the acts."

incidentally create revenue

In passing upon the second point of obatuities. Congress

He added: "This comes clearly within the exercise of the police power, and is such an elementary proposition that it would serve

authority. The Third Objection.

provisions of the two acts of 1901 and the act of 1903, it is sufficient to say that they all have for their object the elimination of grade crossings in the District of Columbia. "The two acts of 1901 provided for two separate terminals in different parts of the city, one in South Washington, and the

District would be subjected The court quoted from certain portions of

priated according to the express terms of "How can it, therefore, be seriously contended that these moneys are appropriated for a privats, and not a public or govern-mental use? It is purely and simply a case of legislation in the nature of the

the safety of the lives and health of the public come within the police power. It would be idle to enter into a discussion of the many cases cited by counsel for the de-fendants showing it to be entirely compe-tent for the legislature, under the police power, to require the elimination of grade

Even were the express contract features equitable that a portion of the expense necessarily incident to the elimination of grade crossings, constituting a distinct pub-lic benefit, should be borne by the United States and the District of Columbia. And the Supreme Court of the United States has in a number of cases expressly recog-nized the right of Congress to discharge, not only its strictly legal obligations, but also those which are founded upon equita-

# Regarded as Without Equity.

"Broadly speaking, it does not seem to me that there is any equity in this bill of complaint. The complainant alleges that he is a taxpayer. He appears here as the sole complainant and asks that this great enterprise shall be suspended and set at naught on the ground that the law under which these improvements are now proceeding is unconstitutional and that he, as a taxpayer, will be affected thereby. "Before a party has a right to come into

a court of equity he must be in a position to satisfy the court that some subs right of his will be affected. As between the equities of the people of the District of Columbia, the equities of 300,000 for whose benefit these acts were passed, and of this single taxpayer, whose contribution to the fund is purely nominal, there can be no comparison.

to the fund is purely nominal, there can be no comparison.

"Is it possible that because the Congress of the United States, in enforcing the police power, sought to do the just thing by contributing something toward that expense, it must be said to be violating the law and doing an unconstitutional thing? Or, on the other hand, that the contribution to the railroad companies was the main thing and that the abolition of the grade crossings is the incidental thing? Not at all. By the very title of the act the purpose is declared."

In concluding his opinion, Justice Anderson stated that, while it was a settled dectrine that in considering the constitutional-

son stated that, while it was a settled dec-trine that in considering the constitutional-ity of an act of Congress the burden is upon the party who attacks the act to show its unconstitutionality beyond a reasonable doubt. Mr. Millard had "utterly falled to oven raise any substantial doubt as to the

the District of Columbia restrained from its half of the \$1,500,000 allowed the rail-The hearing was on demurrers presented by the several defendants. The demurrers

ing revenue to originate in the House of Representatives, Justice Anderson said: "It is manifest from a mere reading of said acts that they are acts, not for the

The decision of the Supreme Court of the United States in the case of Twin City Bank v. Nebeker, 167 U. S., 202, was referred to by the court to show that the term "revenue bills," as made use of in the Con-stitution, applies only to "those that levy taxes in the strict sense of the word," and not to "bills for other purposes which may

# Second Point of Objection.

jection raised by Mr. Millard, that the acts provide for direct taxation on the property and privileges of the people of the District of Columbia, exclusive of the states, and are consequently repugnant to the constitutional rule of apportionment, Justice Anin San Francisco, Cal., of John J. Hill, said derson said that the objection was not deto have been formerly of this city, who was serving of serious consideration, for the quartermaster general's office in Manila. by the acts can properly be said to be right to tax the people of the District of Columbia, as in its wisdom it may see fit, to pay some part of the expenses necessarily incident to the elimination of grade crossings, and thus lessening the dangers

no useful purpose to make any citation o

In disposing of the third and last objection urged by Mr. Millard, that the sums appropriated by the acts are gratuities, Justice Anderson remarked: "Without discussing in detail the various

other in East Washington, but it was sub-sequently sought by Congress to so far sion for one union terminal, since by virtue of the two acts of 1901 two sections of the

uses and incumbered with bridges and elevated tracks. Hence the act of 1903 was passed. the acts to show the consideration for which the sums complained of were appro-

exercise of the police power of the gov-ernment to pay for safety given to the people out of the taxes raised.
"All measures which have for their object

crossings, and to cause the expense of such elimination to be borne in such manner as in its wisdom might be dictated. of the acts to be disregarded, it is manifest that Congress considered it to be just and

#### ble and moral consideration and grounded upon principles of right and justice.

The new battle ship Tacoma sailed yester-day from Mare Island for San Francisco. which he has thus sought to question."